AUU U 8 2005



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August 8, 2005

## U.S. PATENT AND TRADEMARK OFFICE FACSIMILE TRANSMISSION COVER SHEET

In re the Application of To:

Gene M. NITSCHKE

Application No.: 09/411,642

Filed: October 4, 1999

For:

METHOD AND SYSTEM TO **ESTABLISH DEDICATED** INTERFACES FOR THE

MANIPULATION OF SEGMENTED

FOR FILING IN THE

U.S. PATENT AND TRADEMARK OFFICE

Group Art Unit:

2173

Docket No.:

103045

**IMAGES** 

Examiner:

R. Bayeral

Facsimile:

(571) 273-8300

From: Gang Luo

Prepared By: sqb Number of Pages Sent (Including cover sheet): 2/

#### Comments:

Dear Examiner Bayeral:

Thank you for your August 8 telephone call, indicating that the above-identified application has been allowed. As requested, we provide a copy of the February 26, 2002 Office Action in its entirety. Please let me know if you need more documents.

Regards,

Gang Luo

Sent by:

This facsimile is intended only for the use of the U.S. Patent and Trademark Office and contains confidential information. If you are not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are notified that any review, dissemination, distribution or copying of this facsimile is prohibited. If you have received this facsimile in error, please immediately notify us by facsimile or telephone, and return the facsimile to us by mail at the above address.

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A TTORNEY DOCKET NO. CONFIRMATION NO. FIRST NAMED INVENTOR PILING DATE APPLICATION NO. 8598 103045 GENE M. NITSCHKE 10/04/1999 09/411,642 02/26/2002 EXAMINER OLIFF & BERRIDGE PLC THAI, CUONG T P.O. BOX 19928 ALEXANDRIA, VA 22320 MAR 0 5 2002 PAPER NUMBER ART UNIT OLIFF & BERRIDGE DATE MAILED: 02/26/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

By YMM on 3/5 2002 By YMM on 3/5 2001 Oliff & Berridge

PTO-90C (Rev. 07-01)

		Applicant(s)	
Office Action Commons	09/411,642	ITENE M	NITSCHKE
Office Action Summary	Examiner		Group Art Unit
	CHONG T I	11 31	2173
—The MAILING DATE of this communication appears	on the cover sheet be	neath the corre	spondence address—
Period for Reply			
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO 0 OF THIS COMMUNICATION.	EXPIRE THREE	_MONTH(S) FF	ROM THE MAILING DATE
<ul> <li>Extensions of time may be available under the provisions of 37 CFR 1.13 from the mailing date of this communication.</li> <li>If the period for reply specified above is less than thirty (30) days, a reply</li> <li>If NO period for reply is specified above, such period shall, by default, ex</li> <li>Failure to reply within the set or extended period for reply will, by statute,</li> </ul>	within the statutory minimu	m of thirty (30) day the mailing date of	s will be considered timely. this communication .
Status			
☐ Responsive to communication(s) filed on			•
☐ This action is FINAL.			
Since this application is in condition for allowance except to accordance with the practice under Ex parte Quayle, 1935 (	r formal matters, <b>prose</b> C.D. 1 1; 453 O.G. 219.	cution as to the	merits is closed in
Disposition of Claims			
© Claim(s)		ls/are pen	ding in the application.
Of the above claim(s)			
Claim(e)		is/are allo	wed.
Ø Claim(s)		is/(irg) reje	cted.
□ Claim(s)			
□ Claim(s)		are subjec	ct to restriction or election
Application Papers		requireme	seit.
(3) See the attached Notice of Draftsperson's Patent Drawing I	Review, PTO-948.		
☐ The proposed drawing correction, filed on		disapproved.	
☐ The drawing(s) filed on is/are objected	d to by the Examiner.		
☐ The specification is objected to by the Examiner.			•
☐ The oath or declaration is objected to by the Examiner.			
Priority under 35 U.S.C. § 119 (a)-(d)			
☐ Acknowledgment is made of a claim for foreign priority undended ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the ☐ received.	priority documents ha	ve been	
<ul> <li>received in Application No. (Series Code/Serial Number)</li> <li>received in this national stage application from the International</li> </ul>			<b></b> •
*Certified copies not received:			·
Attachment(s)			
☑ Information Disclosure Statement(s), PTO-1449, Paper No(	s). <u> </u>	terview Summaı	y, PTO-413
		otice of Informal	Patent Application, PTO-152
Notice of Draftsperson's Patent Drawing Review, PTO-948	ΠO	ther	
Office	action Summary		

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Part III DETAILED ACTION

#### Specification

- 1. Claims 1-21 are presented for examination.
- 2. Applicant is reminded of the duty to fully disclose information under 37 CFR 1.56.
- 3. The Examiner have considered both Information Disclosure Statement filed on Oct/04/1999 (Paper # 2) and Mar/02/2001 (Paper # 5). However, Examiner only return PTO-1449 corresponding to Mar/02/2001 along with this Action because there is no form PTO-1449 for Oct/04/1999.

#### Claim Rejections - 35 USC § 103

- 4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the

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differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-3, 6, 9-14, 16 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yair (USPN: 5,787,194) in view of Goldberg (USPN: 6,341,183).

As per claims 1(system), 10(storage-medium), and 12(method); Yair teaches a system that assembles a dedicated user interface that allows an input segmented image to be manipulated comprising:

a segmentation classification association circuit taht associates a segmentation classifier and at least one segment of the input segmented image is taught by Yair as the technique of provides image processing apparatus for segmenting an input image into image portions each containing a single character, the apparatus comprising identification logic for identifying connected components in the input image; classification logic for determining into which of a number of predefined classes a connected component falls (see column 2, lines 8-14);

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Yair, however, does not disclose the limitation of an image processing tool association circuit that determines at least one image processing tool corresponding to the segmentation classifier;

Goldberg discloses the limitation of an image processing tool association circuit that determines at least one image processing tool as the technique of an event-driven graphical user interface (GUI)-based image acquisition interface for the interactive data language programming environment developed by Research Systems, Inc. (See column 2, lines 21-25) which include Analysis Toobbox. Advantageously, a toolbox of various analytical tools can be incorporated into the GUI-based image acquisition interface (see column 8, lines 25-28);

It would have been obvious to one having ordinary skilled in the art at the time the invention was made to include the limitation of an image processing tool association circuit that determines at least one image processing tool by Goldberg into that of Yair's segment classifier invention. By doing so, the system would enhance by providing real-time data analysis support for images acquired during the alignment of image acquisition analysis.

As per claims 2(system), 11(storage-medium), and 13(method); Yair discloses the invention substantially as claimed. Yair,

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however, does not disclose the limitation of a user interface assembly circuit that assemble at least one selectable interface widget into at least one user interface based on the at least one image processing tool corresponding to the segmentation classifier;

Goldberg discloses the limitation of a user interface assembly circuit that assemble at least one selectable interface widget into at least one user interface based on the at least one image processing tool as the technique of an event-driven graphical user interface (GUI) - based image acquisition interface for the interactive data language programming environment developed byResearch Systems, Inc. (See column 2, lines 21-25) which include Analysis Toobbox. Advantageously, a toolbox of various analytical tools can be incorporated into the GUI-based image acquisition interface (see column 8, lines 25-28) wherein the GUI interface program of the presentation provides the following features: pulldown menu, commonly used hardware binning options 14 are available, the available detector speeds 16 are available from a pulldown menu (see column 4, lines 22-31) and in order to switch quickly from one set of parameters to another, the user pushes only one button 28 (see column 4, lines 50-52);

It would have been obvious to one having ordinary skilled in the art at the time the invention was made to include the limitation of a user interface assembly circuit that assemble at

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least one selectable interface widget into at least one user interface based on the at least one image processing tool by Goldberg into that of Yair's segment classifier invention. By doing so, the system would enhance by providing better processing tools in GUI-based interface to end users.

As per claims 3(system) and 14(method); Yair discloses the invention substantially as claimed. Yair, however, does not disclose the limitation of the system modifies the at least one segment based on a selection of the at least one image processing tool associated with the at least one user interface;

Goldberg discloses the limitation of the system modifies the at least one segment based on a selection of the at least one image processing tool associated with the at least one user interface as the technique of Four tools are described herein. They are the Fourier transform Alignment Tool, the Contrast Tool, the Wavefront Tool, and the Zernike Polynomial Tool. It is not difficult to modify the existing tools or add additional tools to expand the capabilities of the toolbox (see column 8, lines 59-63);

It would have been obvious to one having ordinary skilled in the art at the time the invention was made to include the limitation of modifying the at least one segment based on a selection of the at least one image processing tool associated

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with the at least one user interface by Goldberg into that of Yair's segment classifier invention. By doing so, the system would enhance by providing more varieties and selectable processing tools in GUI-based interface to end user wherein the user has capable of selecting tool based on his/her own desired manner.

As per claims 9(system) and 21(method); Yair discloses the invention substantially as claimed. Yair, however, does not disclose the limitation of wherein the dedicated user interface is a graphical user interface comprising at least one of dropdown menu, a pull-down menu, a radio button, a tab button, a segment display area or a slide bar;

Goldberg discloses the limitation of wherein the dedicated user interface is a graphical user interface comprising at least one of drop-down menu, a pull-down menu, a radio button, a tab button, a segment display area or a slide bar as the technique of the GUI interface program of the present invention provides the following features: using a pulldown menu, commonly used hardware binning options 14 are available (see column 4, lines 22-29), modes 26 selected by buttons 28(see column 4, lines 45-46), large GO and STOP buttons (see column 5, line 11), the image size can be scaed for display from 1/4 th size to 8 times large in multiples of 1/4 size using a scroll-bar, or slide 112 (see

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column 5, lines 63-65), and using the pull-down menu 508 at the top of the toolbox window, the direction of the data stripe used to access contrast can be set to vertical or horizontal (see column 9, lines 62-64);

It would have been obvious to one having ordinary skilled in the art at the time the invention was made to include the limitation of wherein the dedicated user interface is a graphical user interface comprising at least one of drop-down menu, a pulldown menu, a radio button, a tab button, a segment display area or a slide bar by Goldberg into that of Yair's segment classifier invention. By doing so, the system would enhance by providing more selectable tools in GUI-based interface to end user wherein the user has capable of selecting tool based on his/her own desired manner.

As per claims 6(system) and 16(method), the limitation of s segmentation selection circuit that selects the at least one segment is taught by Yair as the technique of identifying connected components in the input image; classifying the connected components by determining into which of a number of predefined classes a connected components falls, at least one of said classes indicating that the connected component is most likely to be single character; and iteratively merging and slitting the connected components and reclassifying the resulting Serial Number: 09/411,642 -9-

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slit and/or merged connected components until an image segmentation is achieved which meets a predefined criterion (see column 3, lines 42-50). These claims are therefore rejected for the reason as set forth aboved.

Claims 4-5, 15 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yair (USPN: 5,787,194) in view of Goldberg (USPN: 6,341,183) and further in view of Marimont et al. (USPN: 5,710,877) hereinafter Marimont.

As per claims 4(system) and 15(method), Yair-Goldberg disclose the invention substantially as claimed. Yair-Goldberg, however, do not disclose the limitation of a segmentation mapping circuit that determines the at least one segment based on a position of a user input device in the input segmented image;

Marimont discloses the limitation of a segmentation mapping circuit that determines the at least one segment based on a position of a user input device in the input segmented image as the technique of the discovery of a data structure representation of an image called an image structure map (ISM) that accurately and explicitly represents the geometric and topological properties of an image and allows for efficient and accurate spatial indexing of regions of an image (see column 3, lines 9-14). Marimont's image structure map (ISM) invention further

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discloses \*\*input signal circuitry\*\* is circuitry for providing input signals to the processor from an input signal source. The input signal source may be directed by a human user or by an automatic operation under control of a processor. \*\*User input circuitry\*\* is circuitry for providing signals based on action of a user. User input circuitry can receive signals from one or more \*\*user input devices\*\* that provide signals based on actions of a user, such as a keyboard, a mouse, or stylus device (see column 9, lines 53-61)...For example, a signal from a user input device indicates a position of an image if the signal includes data from which the position can be uniquely identified (see column 10, lines 4-6);

It would have been obvious to one having ordinary skilled in the art at the time the invention was made to include the limitation of a segmentation mapping circuit that determines the at least one segment based on a position of a user input device in the input segmented image by Marimont into that of Yair-Goldberg combined invention. By doing so, the system would enhance by permitting user interaction with the structures in an original image through image structure mapping.

As per claims 5(system) and 20(method), Yair-Goldberg disclose the invention substantially as claimed. Yair-Goldberg, however, do not disclose the limitation of the segment mapping

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circuit highlights the at least one segment based on the position of a user input device;

Marimont discloses the limitation of the segment mapping circuit highlights the at least one segment based on the position of a user input device as the technique of the method comprises receiving an image interaction signal from the input circuitry indicating an image interaction request from a user to modify an image structure map data structure, referred to as in an image structure map, that spatial indexes a displayed origional image. The displayed origional image represents an origional image data structure, referred to as an origional image, having image locations therein specified according to a first coordinate system (see column 5, lines 5-13);

It would have been obvious to one having ordinary skilled in the art at the time the invention was made to include the limitation of the segment mapping circuit highlights the at least one segment based on the position of a user input device by Marimont into that of Yair-Goldberg combined invention. By doing so, the system would enhance by signaling the user to known where is the location of the image structure map from which user will interact with.

Claims 7 and 17-18 are rejected under 35 U.S.C. 103(a) as 7. being unpatentable over Yair (USPN: 5,787,194) in view of

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Goldberg (USPN: 6,341,183) and further in view of Lee et al. (USPN: 6,026,182) hereinafter Lee.

As per claims 7(system) and 17(method), Yair-Goldberg disclose the invention substantially as claimed. Yair-Goldberg, however, do not disclose the limitation of image processing tool association determines the at least one of predefined configuration association data, updatable configuration association data;

Lee discloses the limitation of predefined configuration association data as the technique of precommession extrapolation method for extrapolating image features of arbitary configuration to a predefined configuration (see column 22, lines 47-48);

It would have been obvious to one having ordinary skilled in the art at the time the invention was made to include the limitation of predefined configuration association data by Marimont into that of Goldberg image processing tool and further into that of Yair-Goldberg combined invention. By doing so, the system would enhance by providing predefined configuration tool which available to image processing toolbox to end user.

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As per claim 18, due to the similarity of this claim to that of claim 17, this claim is therefore rejected for the same reason applied to claim 17.

8. Claims 8 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yair (USPN: 5,787,194) in view of Goldberg (USPN: 6,341,183) and further in view of Mahoney (USPN: 6,009,196).

As per claims 8(system) and 19(method), Yair-Goldberg disclose the invention substantially as claimed. Yair-Goldberg, however, do not disclose the limitation of segmentation classifier corresponds to at least one of a photographic region, a half-tone region, a text region, a line art region, a black and white region or a color region;

Mahoney discloses the missing limitation of a text region as the technique of analyzing image data, and more particular to the analysis of image data representing images containing text to classify the types of non-running text regions therein without the need for predefining structure within the image. The invention first employs the characteristics of running text regions to distinguish them from non-running text regions in a page image (see column 1, lines 22-29);

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It would have been obvious to one having ordinary skilled in the art at the time the invention was made to include the limitation of a text region (running text region and non-running text region) by Mahoney into that of Yair-Goldberg combined invention. By doing so, the system would enhance by providing more enhanced classifier tools to end user.

#### Conclusion

- 9. The prior art made of record and relied upon is considered pertinent to applicant's disclosure.
- 10. A shortened statutory period for response to this action is set to expired THREE (3) months, ZERO days from the date of this letter. Failure to respond within the period for response will cause the application to be abandoned. 35 U.S.C. 133.
- 11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cuong T. Thai whose telephone number is 703-308-7234. The examiner can normally be reached on Monday-Friday from 7:30 AM to 4:00 PM.

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Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3800.

## Any response to this action should be mailed to:

Commissioner of Patents and Trademarks Washington, D.C. 20231

#### or faxed to:

(703) 308-9051 (for formal communications intended for entry)

Or:

(703) 308-6606 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Cuong T. Thai

February 22, 2002

SUPERVISORY PATENT EXAMINED
TECHNOLOGY CENTER 2100

Form P10 948 (Rev. 8-98)

REVIEWER

U.S. DEPARTMENT OF COMMERCE - Patent and Trademark Office Application No.

Application No. COMMISSION

# NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

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Black ink. Color drawings are not acceptable until petition is granted.   Fig(s)	DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings:	8. ARRANGEMENT (F VIEWS, 37 CFR 1.84(i)
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PAGE 19/21 \* RCVD AT 8/8/2005 3:26:22 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/29 \* DNIS:2738300 \* CSID:703 836 2787 \* DURATION (mm-ss):04-16

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